

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

RONALD EUGENE MARTIN,

Petitioner,

Case No. 1:06-CV-893

v.

Hon. Richard Alan Enslen

WILLIE O. SMITH,

Respondent.

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**ORDER APPROVING REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by United States Magistrate Judge Ellen S. Carmody. The Report and Recommendation was duly served on the parties. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge, filed July 3, 2008 (Dkt. No. 38) is **APPROVED** and **ADOPTED** as the opinion of the Court.

**IT IS FURTHER ORDERED** that Respondent's Motion to Dismiss for Failure to Comply With the Statute of Limitations (Dkt. No. 16) is **DENIED** for the reasons stated in the Report and Recommendation.

Dated in Kalamazoo, MI:  
September 3, 2008

/s/Richard Alan Enslen  
Richard Alan Enslen  
Senior United States District Judge